## **COMMISSIONERS' MINUTES – DAVIS COUNTY**

# COMMISSION MEETING MINUTES October 16, 2018

The Board of Davis County Commissioners met for their regularly scheduled meeting on Oct. 16, 2018 at 10 a.m. in room 303 of the Davis County Administration Building, 61 South Main Street, Farmington, Utah. Appropriate legal notice of this meeting was given.

Present on the dais were: Commissioner Randy B. Elliott, Chair; Commissioner P. Bret Millburn, Vice-Chair; Commissioner James E. Smith; Curtis Koch, Davis County Clerk/Auditor; and Neal Geddes, Chief Civil Deputy County Attorney.

All documents from this meeting are on file in the Davis County Clerk/Auditor's Office.

OPENING

The meeting convened at 10:01 a.m. and Shairise Bills was invited to lead the Pledge of Allegiance.

BUSINESS/ ACTION

2017 CAPER Public Hearing

**2017 Consolidated Annual Performance and Evaluation Report (CAPER)** — *Presented by Tony Zambrano, Davis County Grant Auditor* 

Commissioner Millburn moved to open the Public Hearing regarding the 2017 CAPER. Commissioner Smith seconded the motion. All voted aye.

Each year this report is provided to itemize the accomplishments of the Housing and Urban Development (HUD) grant. Proper legal notice was given to make the public aware that the report was available on the County website to view and of this opportunity to make comments. Thus far, no public comments have been received. Now is the time for the public hearing before the report is submitted.

See Attachment B.

Commissioner Elliott invited public comments.

No public comments were made.

Commissioner Millburn moved to close the Public Hearing regarding the 2017 CAPER. Commissioner Smith seconded the motion. All voted aye.

Agreement #2018-483 for FY 2018-19 CBDG funding

Resolution

appoint an official DC

#2018-484 to

representative and alternate

for the UCIP Membership

meeting

Agreement #2018-483 with the U.S. Department of Housing and Urban Development (HUD) for FY 2018-19 Community Development Block Grant (CBDG) funding to benefit low-to-moderate income residents of Davis County — Presented by Tony Zambrana, Davis County Grant Auditor

This is a funding approval agreement for the FY 2018-19 action plan for the CBDG. This plan was submitted to HUD and they have approved it. The contract amount is up a little bit from last year. The contract period is 07/01/2018 to 06/30/2019. The receivable amount is \$900,700.

Motion to Approve: Com. Smith Seconded: Com. Millburn Vote: All Ave

Resolution #2018-484 to appoint an official Davis County representative and alternate for the Utah Counties Indemnity Pool (UCIP) Membership meeting — Presented by Charlene Lamph, Davis County Risk & Safety Manager in place of Debra Alexander, Davis County Human Resources Director

It is time to prepare for the annual UCIP Membership meeting. This is when votes will take place regarding changes to the bylaws for the coverage. The County needs to appoint a representative and an alternate representative for Davis County. It is required to be an elected official or a County employee. Commissioner P. Bret Millburn has been nominated as the representative with Deb Alexander as the alternate representative. Commissioner Millburn has been an important part in UCIP. The meeting will be held Nov. 15, 2018. [This resolution has no beginning and no end, and is neither payable nor receivable.]

Following the vote, Charlene thanked the Commission for approving the action. She then reminded them the form must be filled out and submitted to UCIP sometime this week.

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## **COMMISSIONERS' MINUTES – DAVIS COUNTY**

Motion to Approve: Com. Smith Seconded: Com. Elliott

Vote: All Aye

Ratify Agreement #2018-485 with Dude Solutions **Ratify Agreement #2018-485 with Dude Solutions** — *Presented by Mack McDonald, Davis County Facilities Director* 

Last year, funding was approved for a work order program. Five different programs were researched; most programs were recommended by the International Facilities Management Association. Dude Solutions was chosen because they were reasonably priced and they are the only work order program that performs condition assessments. This means they do an assessment of the entire building rather than just specific components. This information is then uploaded into the work order program. Currently, Facilities hires different consultants to do the needed assessments, such as a roof audit, which can become expensive quickly. Dude Solutions can do this for a lot cheaper than the cost of hiring individual contractors. Another reason why this system was chosen is because it can interact and transfer data to Tyler Munis. The first three months of the contract were free which is why it had to be signed prior to this meeting. During those months the Administration, Health, and North Davis Senior Center buildings were or will be assessed. At the beginning of 2019, the software will be purchased for the entire year and additional buildings may be assessed if the requested budget is approved. The contract period is 10/01/2018 to 12/31/2020. The payable amount is \$41,851.88.

Motion to Approve: Com. Millburn Seconded: Com. Smith

Vote: All Aye

Agreement #2018-486 with Pet Corral, LLC dba Uptown Bark **Agreement #2018-486 with Pet Corral, LLC dba Uptown Bark** — *Presented by Rhett Nicks, Davis County Animal Care & Control Director* 

This contract is to allow Pet Corral, also called Uptown Bark, to house and adopt cats for the County out of their location. The hope is to eventually have more than cats here. The County will be in charge of grooming the pets, unless other arrangements are made due to holidays and such, and Uptown Bark will provide the kennel for the animals. The facility is located in Layton by the Wal-Mart off Antelope [Church Street] and Highway 193. The County does something similar with PetSmart. The contract period is 10/12/2018 to 09/30/2023. [The contract is neither payable nor receivable.]

Motion to Approve: Com. Smith Seconded: Com. Millburn Vote: All Aye

Summary List #2018-487 of two payable contracts for the Moonlight Bike Ride

**Summary List #2018-487 of two payable contracts for the Moonlight Bike Ride** — *Presented by Neka Roundy, Davis County Community & Economic Development Specialist* 

These contracts with Utah Media Group and United Site Services are both related to the Moonlight Bike Ride on Antelope Island. The contract period is 06/30/2018 to 07/02/2018. The payable amount is \$1,980.

Motion to Approve: Com. Millburn Seconded: Com. Smith Vote: All Aye

Change Order #2018-349-A with Wardell Brothers Construction, Inc to reconstruct box top at station 47+50 Change Order #2018-349-A with Wardell Brothers Construction, Inc. to reconstruct box top at station 47+50 on Mutton Hollow and 50 East Street Rebuild project — Presented by Adam Wright, Davis County Public Works Director

During the construction work, it was discovered there was no way to collar the existing box so a new top needs to be created. The contract period is 08/14/2018 to 08/14/2019. The payable amount is \$1,500.

Motion to Approve: Com. Millburn Seconded: Com. Smith Vote: All Aye

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## **COMMISSIONERS' MINUTES – DAVIS COUNTY**

Change Order #2018-349-B with Wardell Brothers Construction, Inc to install RS380i fabric at soft spot

Change Order #2018-349-B with Wardell Brothers Construction, Inc. to install RS380i fabric at soft spot on Mutton Hollow and 50 East Street Rebuild project — Presented by Adam Wright, Davis County Public Works Director

Before the project began, the soils were tested and some soft spots were identified. Once construction began, the soft spots were found to be very bad in several spots necessitating designing and creating a new cross section, and replacing the fabric and soil. The contract period is 08/14/2018 to 08/14/2019. The payable amount is \$724.50.

Motion to Approve: Com. Smith Seconded: Com. Millburn Vote: All Aye

Change Order #2018-349-C with Wardell Brothers Construction, Inc to lower manhole lid Change Order #2018-349-C with Wardell Brothers Construction, Inc. to lower manhole lid at station 69+00 on Mutton Hollow and 50 East Street Rebuild project — Presented by Adam Wright, Davis County Public Works Director

It was discovered during construction that the cone for the manhole cover would not align correctly with the road's new grading which required extra labor to correct. This change order is to account for that. The contract period is 08/14/2018 to 08/14/2019. The payable amount is \$1,080.

Motion to Approve: Com. Smith Seconded: Com. Millburn Vote: All Aye

Change Order #2018-349-D with Wardell Brothers Construction, Inc. change to a rush schedule for additional labor and equipment Change Order #2018-349-D with Wardell Brothers Construction, Inc. change to a rush schedule for additional labor and equipment on Mutton Hollow and 50 East Street Rebuild project — Presented by Adam Wright, Davis County Public Works Director

Some of the required utility work for the project has taken longer than expected and has been going on simultaneously with the road construction. This and unexpected wet weather has caused delays in the work. The schedule was too tight to be able to pour the pavement in the desired timeframe. As such, additional labor and/or equipment and a rush schedule will be implemented to meet the deadline. The contract period is 08/14/2018 to 08/14/2019. The payable amount is \$23,335.

Following the vote, the Commission asked for a general update on the Mutton Hollow project. Adam said the work on Mutton Hollow road is done and striped, and that the work is now moving on to the 50 East portion. Excavation is about two-thirds the way done but they are finding issues with soft spots and curb and gutter not being correct which is causing delays. The current goal is to pave on Halloween, which is later in the season then they typically pave. If the weather cooperates though, they may be able to do it sooner. The Commission thanked them for the good job they are doing, especially in getting all the utility work done now rather than later.

Motion to Approve: Com. Millburn Seconded: Com. Smith Vote: All Ave

Grant Award #2018-488 from UT Dept. of Homeland Security for multi-agency funding for law enforcement terrorism prevention Grant Award #2018-488 from Utah Department of Homeland Security for multi-agency funding for law enforcement terrorism prevention-oriented planning, organization, training, exercise, and equipment activities — Presented by Chief Deputy Ty Berger, Davis County Sheriff's Office

This grant was awarded from the Utah Department of Homeland Security and begins in Sept. of this year and ends in 2021. Currently, they are operating under the last grant awarded. This new grant is for assets's projects for the region north of Salt Lake, which includes all the counties north of Salt Lake. Some of the asset projects include the real time crime center, regional HAZMAT task force and equipment, the reverse Code Red, and multi-agency exercises and trainings. Twenty-five percent of the funds will go towards basic law enforcement functions. All the projects are focused on terrorism prevention, not emergency management. The contract period is 09/01/2018 to 08/31/2021. The receivable amount is \$566,671.

Following the vote, the Commission asked how the money is distributed since it was awarded to a region. Chief Berger explained the money is handled through a board who determines which project is the priority and how much funding it should receive. The counties then write the check as requested for the project.

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## **COMMISSIONERS' MINUTES – DAVIS COUNTY**

Motion to Approve: Com. Smith Seconded: Com. Millburn

Vote: All Aye

Agreement #2018-489 with Brett's Towing

**Agreement #2018-489 with Brett's Towing** — Presented by Chief Deputy Arnold Butcher, Davis County Sheriff's Office

This is one of the last towing contracts for this year. They will service the North, South, and Heavy vehicles. The contract period is 07/01/2018 to 06/30/2019. [The contract is neither payable nor receivable.]

Motion to Approve: Com. Millburn
Seconded: Com. Smith

Vote: All Aye

Agreement #2018-490 with I.F.S Towing

**Agreement #2018-490 with I.F.S Towing** — Presented by Chief Deputy Arnold Butcher, Davis County Sheriff's Office

They will service the North, South and Heavy vehicles. This towing company also owns another tow truck in the rotation. [See Oct. 2, 2018 meeting minutes for further explanation.] The contract period is 07/01/2018 to 06/30/2019. [The contract is neither payable nor receivable.]

Motion to Approve: Com. Millburn

Seconded: Com. Smith

Vote: All Aye

Agreement #2018-491 with Lincoln Environmental **Agreement #2018-491 with Lincoln Environmental** — Presented by Chief Deputy Arnold Butcher, Davis County Sheriff's Office

They will service the North and Heavy vehicles. The contract period is 07/01/2018 to 06/30/2019. [The contract is neither payable nor receivable.]

Motion to Approve: Com. Millburn Seconded: Com. Smith

Vote: All Aye

Preliminary Application #2017-351-C to Centerville City for subdivision to be known as Deuel Creek Place

Preliminary Application #2017-351-C to Centerville City for subdivision to be known as Deuel Creek Place on parcel of land Tax ID 02-104-109 — Presented by Tony Thompson, Davis County Planning Manager

This is a preliminary application to Centerville City as required by the process of getting the final plat approved for what will be the Deuel Creek Place subdivision, Tax ID 02-104-0109. All the paperwork for this process has been filed under Interlocal Agreement #2017-351. In the upcoming weeks the application for the final plat will be presented. This preliminary application has no beginning or end date and is neither payable nor receivable.

Motion to Approve: Com. Millburn Seconded: Com. Smith

Vote: All Aye

Improvement Agreement and Grant of Lien #2018-492 with Brett Davis for improvements for property located at 979 North 50 East in Kaysville Improvement Agreement and Grant of Lien #2018-492 with Brett Davis for deferral of curb, gutter, and sidewalk improvements for property located at 979 North 50 East in Kaysville — Presented by Tony Thompson, Davis County Planning Manager, in place of Jeff Oyler, Davis County Planning Manager

This agreement is to defer the curb, gutter, sidewalks and other improvements for the property at 979 North 50 East. As was mentioned earlier, 50 East is currently undergoing some construction; the road has curb and gutter but is missing the other improvements therefore this agreement is needed. [This agreement has no beginning or end date and is neither payable nor receivable.]

Motion to Approve: Com. Millburn

Seconded: Com. Smith

Vote: All Aye

## **COMMISSIONERS' MINUTES – DAVIS COUNTY**

Resolution #2018-493 to approve the interlocal cooperation agreement with West Bountiful City for distribution of 2017 Prop 1 monies Resolution #2018-493 to approve the interlocal cooperation agreement with West Bountiful City for distribution of 2017 Prop 1 monies for the 640 West bike lanes and street improvement project — Presented by Tony Thompson, Davis County Planning Manager, in place of Jeff Oyler, Davis County Planning Manager

This resolution is to approve an interlocal agreement with West Bountiful regarding the distribution of the 2017 Prop 1 monies for the 640 West bike lanes and street improvement projects. See Interlocal Agreement #2018-493 for the agreement's beginning and end date, and the payable amount.

Motion to Approve: Com. Millburn Seconded: Com. Smith

Vote: All Aye

Interlocal Agreement #2018-493 with West Bountiful City for distribution of 2017 Prop 1 monies Interlocal Agreement #2018-493 with West Bountiful City for distribution of 2017 Prop 1 monies for the 640 West bike lanes and street improvement project — Presented by Tony Thompson, Davis County Planning Manager, in place of Jeff Oyler, Davis County Planning Manager

This interlocal agreement with West Bountiful regarding the distribution of 2017 Prop 1 monies for the 640 West bike lanes and street improvement projects. The contract period is 09/18/2018 to 09/18/2020. The payable amount is \$115,000.

Motion to Approve: Com. Millburn Seconded: Com. Smith

Vote: All Aye

Final Plat Approval #2018-494 for the Neil Christensen Subdivision Final Plat Approval #2018-494 for the Neil Christensen Subdivision (2404 North 4500 West, Hooper) — Presented by Tony Thompson, Davis County Planning Manager, in place of Jeff Oyler, Davis County Planning Manager

This plat has been through the Planning Commission who has approved it and recommended it for the Commission's final approval. The parcel, Tax ID 13-046-0047, will be split into two lots. [This approval has no beginning or end date and is neither payable nor receivable.]

See Attachment D.

Following the vote, Tony said there is an updated improvement agreement regarding this parcel that will be coming back for approval as Lot 1 and Lot 2 following the subdivision being recorded.

Motion to Approve: Com. Millburn Seconded: Com. Smith Vote: All Aye

Amendment #2015-365-I with UT Dept. of Human Services, Division of Aging and Adult Services to provide additional Federal funds Amendment #2015-365-I with Utah Department of Human Services, Division of Aging and Adult Services to provide additional Federal funds for Support Services, Preventative Health, Caregiver, and State Health Insurance Assistance — Presented by Brian Hatch, Davis County Health Director

This amendment is for a current contract with the Utah Department of Human Services, specifically their Division of Aging and Adult Services. This is amending the contract because some additional federal funds, to be used in five of the core function areas, have been received. The contract period is 07/01/2018 to 06/30/2019. The receivable amount is \$100,743.

Motion to Approve: Com. Smith Seconded: Com. Millburn

Vote: All Aye

Memo of Agreement #2018-495 with the UT Highway Safety Office for funding the CPS program

Memo of Agreement #2018-495 with the Utah Highway Safety Office for funding for support of the Child Passenger Safety (CPS) program — Presented by Brian Hatch, Davis County Health Director

This funding from Utah Highway Safety Office provides for the CPS programs that service the community. The contract period is 10/01/2018 to 09/30/2019. The receivable amount is \$10,000.

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## **COMMISSIONERS' MINUTES – DAVIS COUNTY**

Motion to Approve: Com. Smith Seconded: Com. Millburn

Vote: All Aye

Affirmation #2018-496 to UT Dept. of Transportation that the Davis County Senior Services is compliant with the Title VI Plan

Affirmation #2018-496 to Utah Department of Transportation that the Davis County Senior Services is compliant with the Title VI Plan (non-discrimination in the federal transit program) — Presented by Brian Hatch, Davis County Health Director

This is an affirmation that Davis County is in compliance with the non-discrimination requirements found in the Title VI of the Older Americans Act. There is no monetary action needed, just a signature and attestation that the County is in compliance. The affirmation period is 10/16/2018 to 10/15/2019. [The affirmation is neither payable nor receivable.]

Motion to Approve: Com. Smith Seconded: Com. Millburn Vote: All Aye

Agreement #2018-497 with RBRA, LLC to lease office space for the Health Dept.'s WIC and Family Health clinics Agreement #2018-497 with RBRA, LLC to lease office space for the Health Department's Women, Infants, and Children (WIC) and Family Health clinics — Presented by Brian Hatch, Davis County Health Director

This is a lease agreement for the office space in West Bountiful which houses part of the Health Department, specifically the WIC and Immunizations clinics. The lease agreement increases by three percent each year and is for three years. The amount provided is for the 2018-2019 year. The contract period is 11/01/2018 to 10/31/2021. The payable amount for 2018-2019 is \$68,652.48.

Motion to Approve: Com. Smith Seconded: Com. Millburn Vote: All Aye

Request Approval #2018-498 of a new Financial Policy: Section 450, Electronic Payment Services Request Approval #2018-498 of a new Financial Policy: Section 450, Electronic Payment Services — Presented by Curtis Koch, Davis County Clerk/Auditor

This is a new section to the County's Financial Policy that addresses electronic payment services. Curtis directly quoted the overview of the policy. In a recent review of internal controls by the State Audit office, this was identified as the one area that did not have a corresponding policy and procedure. This will serve as the starting block to build a more complete policy and procedure. The Commission thanked Curtis for his work on this and making sure the County is compliant and following best practices. They also asked for clarification on the auditing process for the electronic payments. Curtis explained it will be similar to the auditing deposits. The bank accounts will still be reconciled but it will be specific to a merchant account since they are a separate pass-through. This policy sets up how the electronic payments should be audited since historically that has not been the case. [This policy has no beginning or end date and neither payable nor receivable.]

Motion to Approve: Com. Millburn Seconded: Com. Smith

Vote: All Aye

Amendment #2015-327-S with Utah Division of Substance Abuse & Mental Health to shift existing funds Amendment #2015-327-S with Utah Division of Substance Abuse & Mental Health to shift existing funds of the Substance Abuse Program from service code PRX1 to PRX2 — Presented by Commissioner James E. Smith, Davis County Commissioner

Upon reviewing the contract with the Utah Division of Substance Abuse and Mental Health it was discovered some funds that should have been in the 2018-19 year were actually in the 2017-18 year. This amendment is to simply move the correct amount of money from the incorrect year to the correct one. [The amendment period is 09/27/2018 to 06/30/2019. This amendment is neither payable nor receivable.]

Motion to Approve: Com. Smith Seconded: Com. Millburn Vote: All Aye

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## **COMMISSIONERS' MINUTES – DAVIS COUNTY**

Commissioner Millburn moved to recess to Board of Equalization. Commissioner Smith seconded the motion. All voted aye.

#### **BOARD OF EQUALIZATION**

#### Property Tax Register

Property Tax Register matters were presented by Curtis Koch, Davis County Clerk/Auditor as follows.

Under Auditor adjustments: a report with recommended approval of various appeals, a report with recommendation for no change in value of various appeals, and a report for hearings that have been held and their recommendations. Under Abatements: a report with various late abatements for consideration, three corrections. There are no Treasurer Adjustments. Under Assessor Adjustments: there are 22 personal property corrections for various reasons listed on the report.

> Motion to Approve: Com. Smith Seconded: Com. Millburn Vote: All Aye

Commissioner Millburn moved to reconvene Commission Meeting. Commissioner Smith seconded the motion. All voted aye.

#### CONSENT ITEMS

#### **Check Registers**

### **Check Registers**

Check Registers were approved.

Motion to Approve: Com. Smith Seconded: Com. Millburn

Vote: All Ave

#### Commission Meeting Minutes

### **Meeting Minutes**

Meeting Minutes for Sept. 18, 2018 and Sept. 25, 2018 were presented for approval. The work session minutes for Sept. 18, 2018 were requested to be tabled.

> Motion to Approve: Com. Millburn Seconded: Com. Smith

Vote: All Aye

#### Personnel Register

### **Personnel Register**

#### Agreement #2018-499, a basic training reimbursement. with Miles Adair

Agreement #2018-499, a basic training reimbursement, with Miles Adair was presented for approval. The contract period is 09/17/2018 to 09/17/2020. The receivable contract amount is \$11,970.12.

> Motion to Approve: Com. Smith Seconded: Com. Millburn

Vote: All Aye

#### Agreement #2018-500. a basic training reimbursement, with Kavon Nematollahi

Agreement #2018-500, a basic training reimbursement, with Kavon Nematollahi was presented for approval. The contract period is 09/18/2018 to 09/18/2020. The receivable contract amount is \$11,970.12.

> Motion to Approve: Com. Smith Seconded: Com. Millburn Vote: All Ave

#### COMMISSION COMMENTS

Commissioner Elliott: It is now moving into Fall with nice weather. Commissioner Elliott noted that Curtis was out there this morning with his white Miata probably thinking that he is getting ready for the ski season. It seems a little bit crazy in his opinion but everyone to themselves.

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## **COMMISSIONERS' MINUTES – DAVIS COUNTY**

**Commissioner Smith:** Last week, Commissioner Smith had the opportunity to attend the Opioid Summit sponsored by Senator Lee. Some of it was political but once the politicians were done, the information was really good. It is something we are working on very heavily between the County Health Department, Davis Behavioral Health, and all the different groups concerned with that challenge.

Commissioner Millburn: Last week, Commissioner Millburn had the chance to attend part of the Utah Tourism Association Conference, held at the Salt Palace. It was fascinating to interact with people from all across the state and state officials. It was also interesting to see the impact tourism has on our economy. It is growing from year to year in all facets of the state. What he found especially interesting was the bridge between tourism and the community growth as well as the impact on the tax base and the economic development. Part of this comes from companies relocating to here and providing opportunities for growth in previously rural areas as communities build up around them. The tourism industry in Utah generates enough in tax revenue to offset the amount that the taxpayers would be paying. Without the tourism dollars, the cost of basic services like police, firefighters, water, and sewer would be more expensive.

Commissioner Elliott invited other comments from the dais.

Clerk/Auditor

Curtis Koch: Yesterday ballots began being delivered to people's homes. All the ballots will be in the mail system as of today [Tuesday, Oct. 16] and by the end of the week they should be out to all the County. Curtis also encouraged people to research the candidates and the topics and to be engaged in the process. Currently we are seeing record voter registration; we have surpassed the voter registration numbers from the 2016 Presidential election. Receiving the ballot will influence the voter turnout, but mostly the issues on the ballot will increase citizen engagement. The Commission asked if there was any one issue on the ballot that is causing the increased interest. Curtis said we cannot tell because most of the registrations we have received were done online. Online registration can be done through vote.utah.gov [voter.utah.gov] or the DMV which has helped increase the number of registered voters. Last week in one day over 1,000 registrations were received. In speaking with Salt Lake County, they had received over 3,500 registrations in that same day. Registrations are continuing to come in; over the weekend 850 came in. Curtis also thanked the staff for all their hard work; they are currently putting in overtime to ensure everything is updated. The Commission encouraged those who register to actually vote and commented that it will be interesting to see if the voter turnout is higher this year.

The public was invited to make comments to the Commission.

PUBLIC COMMENTS

No public comments were made.

MEETING ADJOURNED

Commission meeting was adjourned at 10:37 a.m.

All publicly distributed materials associated with this meeting are noted as follows:

A1-A3. Agenda

- B. CAPER Public Notice
- C. Deuel Creek Place Subdivision
- D. Neil Christensen Subdivision

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